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*Attorneys for Defendants David I. Lustig, individually
and in his capacity as Trustee for The Lustig Family
1990 Trust, and The Lustig Family 1990 Trust*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

(Substantively Consolidated)

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

**DECLARATION OF BRYAN HA
IN SUPPORT OF MOTION
FOR RECONSIDERATION**

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In re:

BERNARD L. MADOFF,

Debtor.

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IRVING PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

Adv. Pro. No. 10-4554 (SMB)

v.

DAVID IVAN LUSTIG,

Defendant.

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IRVING PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

Adv. Pro. No. 10-4417 (SMB)

v.

THE LUSTIG FAMILY 1990 Trust, et al.,

Defendants.
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BRYAN HA hereby declares under penalty of perjury, pursuant to 28 U.S.C. §
1746, that the following are true and correct:

1. I am of counsel to the Law Office of Richard E. Signorelli, attorneys for
defendants David I. Lustig (“Mr. Lustig”) and The Lustig Family 1990 Trust (“Trust”) in the
above-captioned adversary proceedings, Irving H. Picard v. David Ivan Lustig, Adv. Pro. No. 10-
4554 (“IRA Case”) and Irving H. Picard v. The Lustig Family 1990 Trust and David I. Lustig,
Adv. Pro. No. 10-4417 (“Trust Case”). As such, I am fully familiar with the facts and
circumstances of this matter.

2. I respectfully submit this declaration in support of Mr. Lustig’s and the
Trust’s motion for an order: (a) pursuant to Rules 60(b) of the Federal Rules of Civil Procedure,
Rules 9024 of the Federal Rules of Bankruptcy Procedure, and the Court’s inherent power
granting reconsideration of the Order Granting Partial Summary Judgment Striking Affirmative
Defenses in the IRA Case (Dkt. # 85) and the Trust Case (Dkt. # 83) on June 13, 2017; (b)
staying discovery pending the adjudication of the motion; and (c) granting such other and further
relief as the Court deems just and proper.

3. Attached hereto as Exhibit A is a true and correct copy of the Bankruptcy Court's Memorandum Decision Granting Partial Summary Judgment Striking Certain Affirmative Defenses entered in this action on June 1, 2017.

4. Attached hereto as Exhibit B is a true and correct copy of the Bankruptcy Court's Order Granting Partial Summary Judgment Striking Affirmative Defenses entered in both the IRA Case and the Trust Case on June 13, 2017. The same order was entered in both cases.

Dated: New York, New York
June 27, 2017

/s/ Bryan Ha
Bryan Ha